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Paper No. 4

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**SEP 25 2002**

**OFFICE OF PETITIONS**

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In re Application of :  
Inventors: Narinder Singh and Darren Davis :  
Application No. 10/072,220 :  
Filed: February 8, 2002 :  
Attorney Docket No. 9623/374 :  
Title: AUTOMATIC FLIGHT MANAGEMENT IN AN :  
ONLINE MARKETPLACE :

**DECISION ON PETITION**

This is a decision on the petition under 37 CFR §1.183(a), filed May 20, 2002, to waive rule 37 CFR §1.52(e) and accept the application without an incorporation by reference of the material on the compact disc in both the specification and the transmittal letter.

Petitioner seeks to submit a compact disc containing electronic representations of the references.

When a compact disc has been submitted as part of an application, one is required to list the files on the disc in the application and on the transmittal sheet<sup>1</sup>. In the instant case, applicant seeks a waiver of the requirement and seeks to submit such a listing on compact disc rather than in the application and on the transmittal sheet. Petitioner has demonstrated that a listing of the files would be over 1,000 pages long. Petitioner has submitted a "table" on computer disc listing each file on the disc by file name, file size, and creation date.

The petition under 37 CFR 1.183(a) is **granted**<sup>2</sup>.

Petitioner should note that petitioner, and not the Office is responsible for identifying and correcting any difference between the file list on the compact disc and the files actually on the compact disc.

This file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.

Beverly Flanagan  
Supervisory Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> See 37 C.F.R. § 1.52(e)(5).

<sup>2</sup> Petitioner should note that the Office has not reviewed this file, and as such, no representation is made by this decision pertaining to the acceptability of the file format used for the creation of this file. See 37 C.F.R. § 1.52(e)(7).